

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Ashlee Smith, Individually, and on Behalf)	
of All Others Similarly Situated,)	C/A No. 3:17-cv-03179-MGL
)	
Plaintiff,)	
)	<u>ORDER OF DISMISSAL</u>
vs.)	
)	
Associates in Gastroenterology, P.A. and)	
Berkeley Endoscopy Center LLC,)	
)	
Defendants.)	
_____)	

The Court having been advised by counsel for the parties that the above action has been settled,

IT IS ORDERED that this action is hereby dismissed without costs and without prejudice. If settlement is not consummated within sixty (60) days, any party may petition the Court to reopen this action and restore it to the calendar. Rule 60(b)(6), F.R.Civ.P. In the alternative, to the extent permitted by law, any party may within sixty (60) days petition the Court to enforce the settlement. Fairfax Countywide Citizens v. Fairfax County, 571 F.2d 1299 (4th Cir. 1978). By agreement of the parties, the court retains jurisdiction to enforce the settlement agreement. Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 381-82 (1994).

The dismissal hereunder shall be with prejudice if no action is taken under either alternative within sixty (60) days from the filing date of this order.

IT IS SO ORDERED.

s/Mary Geiger Lewis

MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
June 4, 2018